

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-cv-594-RJC**

ANTHONY WILLIAMS,)
)
Plaintiff,)
)
)
vs.) **ORDER**
)
UNITED STATES OF AMERICA,)
)
Defendant.)
)

THIS MATTER comes before the court on the pro se Plaintiff's Motions, (Doc. Nos. 15; 18), for an enlargement of time within which to file his responsive pleading to Defendant's Motion to Dismiss, and on Plaintiff's Motion for Appointment of Counsel, (Doc. No. 17). For good cause shown, Plaintiff's first Motion for Enlargement of Time, (Doc. No. 15), is **GRANTED**. His second Motion for Enlargement of Time, (Doc. No. 18), is **DISMISSED** as moot.

The Court will deny Plaintiff's Motion for Appointment of Counsel, (Doc. No. 17). To begin, there is no absolute right to the appointment of counsel in civil actions such as this one. Therefore, a plaintiff must present "exceptional circumstances" in order to require the Court to seek the assistance of a private attorney for a plaintiff who is unable to afford counsel. Miller v. Simmons 814 F.2d 962, 966 (4th Cir. 1987). Notwithstanding Plaintiff's contentions to the contrary, this case does not present exceptional circumstances that justify appointment of counsel in this case. Therefore, Plaintiff's motion for appointment of counsel is **DENIED**.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's first Motion for Enlargement of Time, (Doc. No. 15), is **GRANTED**.
Plaintiff shall have until March 12, 2012, to file his responsive pleading;
2. Plaintiff's second Motion for Enlargement of Time, (Doc. No. 18), is
DISMISSED as moot; and
3. Plaintiff's Motion for Appointment of Counsel, (Doc. No. 17), is **DENIED**.

Signed: March 2, 2012



Robert J. Conrad, Jr.
Chief United States District Judge
